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11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION  
14

15  
16 UNITED STATES OF AMERICA,

17  
18 Plaintiff,

19 v.

20 ELIAS DEJESUS MEDRANO,

21 Defendant.  
22

CR No.: 05-00294 MAG

STIPULATION AND  
ORDER EXCLUDING TIME

23 On July 26, 2005, the parties in this case appeared before the Court for an initial appearance  
24 and identification of counsel. At that time, the parties stipulated that time should be excluded  
25 from the Speedy Trial Act calculations from July 26, 2005 to September 9, 2005 for continuity of  
26 counsel and for effective preparation of defense counsel. The parties represented that granting  
27 the continuance was the reasonable time necessary for continuity of defense counsel and effective  
28 preparation of defense counsel, taking into account the exercise of due diligence. See 18 U.S.C.

§ 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting such a continuance outweighed the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).


SO STIPULATED:

KEVIN V. RYAN  
United States Attorney

DATED: 7/26/05

  
ROBERT D. REES  
Assistant United States Attorney

DATED: 7/26/05

  
JOSH COHEN  
Attorney for Mr. Medrano

As the Court found on July 26, 2005, and for the reasons stated above, the Court finds that an exclusion of time between July 26, 2005 and September 9, 2005 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance would deny Mr. Medrano continuity of counsel and would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: 7/28/05

  
EDWARD M. CHEN  
United States Magistrate Judge